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Congress of the United States
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November 30, 2011

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Robert J. Incentive
Auctions
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Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski:

As Congress finds ways to raise new revenues and eliminate wasteful spending to reduce the nation's debt, we must consider the effects those efforts may have on minority and at-risk community members. Please work to ensure that any legislation passed includes protections to ensure that spectrum auctions do not harm low-income and minority residents of my district and across America by reducing their coverage areas, signal quality, and programming, or stopping broadcasting entirely.

Legislation has been introduced that would grant the Federal Communications Commission (FCC) authority to hold voluntary spectrum incentive auctions of the spectrum currently occupied by television. This initially seems like a win-win situation. Money could flow to the U.S. Treasury and major wireless companies that claim to need more spectrum would be able to acquire it. However, a voluntary incentive auction of the television spectrum could lead to the loss of free over-the-air television for our nation's most vulnerable citizens.

For example, minority citizens and citizens making less than \$30,000 per year are more likely than other citizens to access local TV through an antenna.* Nearly one-fifth (17%) of African American TV households, representing 6.2 million viewers, are over-the-air only households. And 23% of Hispanic TV households, representing 7.7 million viewers, are over-the-air only. Any reduction in broadcast service will disproportionately affect these populations - including fewer channels, lower picture quality, limited access to news and life-saving communications during emergencies. In the Metro Detroit area, 500,000 residents do not have cable or satellite and watch TV over-the-air using antenna "rabbit ears."

More alarming is the impact incentive auctions could have on TV viewers in northern and southern border markets like Detroit. Because of treaties with Canada and Mexico, less bandwidth is available to repack television signals.

After an incentive auction of TV spectrum, the remaining TV stations will be "repacked" into the VHF band. Unfortunately, this band is not conducive to digital signals and makes it more difficult for those without paid TV service to receive local channels. Also, there may not be room for all remaining stations because of the international treaties. In Detroit, for example, there is no space available to accommodate the FCC's goal of regaining 120 MHz of current TV spectrum through an incentive

auction. Detroit will lose at least half and potentially all of its local over-the-air television signals. For the 500,000 Detroit-area residents who rely on over-the-air television, this means reduced or no access to local news, programming, and emergency information.

As a member of the Committee on Homeland Security's Subcommittee on Emergency Preparedness Response and Communication, I believe that our residents must have access to up-to-date emergency information provided by local television. For example, my district includes the International Detroit-Windsor Tunnel, Ambassador Bridge, Detroit water treatment plant, and other high-visibility locations. If there is an emergency, my constituents turn to local TV stations for important information. What will happen to the citizens who cannot access free over-the-air TV? Though many citizens may have cell phones, these phones are limited in the number of characters displayed and information delivered. Additionally, in times of emergency cellular networks can quickly overload, disrupting phone signals and services.

Thank you for your consideration. If you have any questions, please feel free to contact me.

Best Regards,

A handwritten signature in black ink that reads "Hansen Clarke". The signature is written in a cursive, flowing style.

Hansen Clarke
Member of Congress

*Knowledge Networks, Press Release, "Over-the-Air TV Homes Now Include 46 Million Consumers," June 6, 2011; results of survey fielded in March and April 2011, based on interviews with 3,343 households, including representative portions of cell-phone-only, non-Internet and Spanish-speaking homes.



FEDERAL COMMUNICATIONS COMMISSION

March 30, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Hansen Clarke
U.S. House of Representatives
1319 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Clarke:

Thank you for your letter sharing your constituents' concerns that voluntary incentive auctions in the broadcast television spectrum might cause them to lose access to free local television channels. I appreciate that Congress recently granted the Commission authority to use this market-based solution to address the looming shortage of spectrum available for wireless broadband.

Incentive auctions will enable the market to determine, through a voluntary process, the amount of spectrum that can be repurposed for flexible uses like wireless broadband. Over-the-air television broadcasters may voluntarily contribute their spectrum or choose not to participate in the incentive auction. TV broadcaster participation in incentive auctions will be voluntary, and stations will not be forced off the air.

To optimize the value of the spectrum voluntarily contributed by broadcasters, the Commission will need to realign remaining TV stations in the band, so that the pieces fit in the most efficient way and the repurposed spectrum can be used efficiently to offer wireless broadband services. Each of the remaining stations will have just as much spectrum per station in the same band as it has today and will be compensated from incentive auction proceeds for its move to a new channel assignment. In border areas, the Commission will continue to coordinate spectrum assignments with Canada and Mexico as required under international agreements.

I appreciate your interest in this important matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to be "J. Genachowski", written over a horizontal line.

Julius Genachowski